TUBERCULOSIS CATTLE SOLD FOR FOOD BY PACKING PLANTS.

United States Officials and State Inspectors Declare This Is Being Done-Condemned Portions Destroyed, Balance of Carcass Is Placed on the Market-Koch Theory Said to Be Relied Upon by Packers - Permitted by Authorities.

FEARED THE PRACTICE MAY INCREASE AND BECOME GENERAL.

VOLUNTEER TO BE INOCULATED WITH

BOVINE TUBERCULOSIS FOR HUMANITY'S SAKE. . Denver, Colo., Aug. 12.-In view of the interest taken in the discussion as to whether or not animal tuberculosis can be communicated to human beings, T. L. Monson, State Dairy Commissioner of Colorado, offers himself as a subject for a

. thorough test of the matter, provided a suitable annuity for his family is assured . in case of fatal results. Mr. Monson has made a study of the matter and is a strong believer in Doc-

........

WAR CLOUD HOVERS OVER AUSTRIA AND ITALY.

Vienna. Aug. 12.-Die Information to-day gives prominence to a message fr Rome predicting a war between Austria and Italy. The message says:

"They are surely drifting into a state where hostilities are inevitable. Both

have been showing unusual military activity on either side of the frontier, and .

"Italy counts upon the assistance of the Southern Austrian Provinces of Gorits, Istria and Dalmatia, whose people are Italians. Deputations from these . 6 Provinces, while visiting Rome recently, on the anniversary of the death of .

REPUBLIC SPECIAL.

the State Veterinarian was called to inspect Milwaukee, Wis., Aug. 12.—"Tuberculous cattle which had been placed in quarantine cattle, though condemned by the State Vet-eritarian, are being killed at certain pack-rived found that the suspected cattle had ing-houses about Milwaukee and the nonin- been slaughtered and the meat prepared for fected portions sold for food all over the shipment. This practice is not discouraged

by State and United States officials who are of Kech's latest theory that tuberculosis inconnected with the veterinary and meat- fection could not be transmitted from aniinspection departments. That the practice is in vogue is not denied, but the Koch theory that tuberculosis which causes dis-case in cattle is not of effect on the human system is the defense that is made of United States Meat Inspectors, located in • the general injury to the public.

Though the practice is in vogue in Wis- terday afternoon. consin, it is said that there is no one of the other States in which meat is packed therities to permit the owners of cattle that permits it, and the discovery of the condemned by official veterinarians on acpublic that this is being done here is likely count of their affliction by tuberculosis to to work a radical change in methods that send them to the abattoirs, and if the bacil-will end the practice.

The discovery was made last week, when use to the public."

both are setting their Adriatic fleets in order.

6 King Humbert, stoned the Austrian Embassy."

SPECIAL BY CABLE.

GIRLS ARRESTED

REPUBLIC SPECIAL.

Phenomenon and Get

Into Trouble.

vesterday boasted that a woman's lips had

never pressed his in osculatory bliss. Yes-

terday he was undone, and he is no longer

a disciple of Professor Algernon Crook of

wise six beautiful society girls are under ar-

The girls planned a kissing bee of which

Fose was to be the victim. They laid their

plans well and yesterday met Mr. Foss in

the main street of the little town. The

sextet surrounded him and six pairs o

snap shot to a time exposure, were shower-

ed upon the now crimsoning cheeks of the bashful Mr. Foss. Finally the girls thought

they had made up for the unklased period in the young man's life and desisted from

Foss called the police. He hurried to a

Justice of the Peace, swore out warrants for the arrest of the principals in the os-culatory hold-up, charging them with as-rault and battery, and went home to nurse his wounded feelings.

lips began to make up for lost time.

rest for assault and battery.

the Northwestern University, Chicago, who

DECISION UPHOLDS FOREST PARK SITE.

Judge Zachritz Sustains Demurrer to Petition for an Injunction and Rules That Plaintiffs Bergherm and Werdes Are Not Entitled to Maintain an Action-Declares That There Is No Evidence That Their Rights Have Been Invaded.

PLAINTIFFS WILL DISCUSS FUTURE STEPS IN CONFERENCE.

PERTINENT POINTS IN THE DECISION

RENDERED BY CIRCUIT JUDGE ZACHRITZ. • That no rule is better established in equity jurisprudence than that in cases where the injury to be abated is public merely-that is, where no citizen suf-

& alone empowered to bring the action. That nowhere does it appear in the petition that these two plaintiffs had any

. interest in the subject matter of the complaint other than that of all other citi-

. the plaintiffs' rights, either of property or person, will be violated, except by a · vague and indefinite allegation that they will not be permitted for the time be-

. they had been in the habit of visiting Forest Park or intend to visit it.

That plaintiffs appear very much in the role of volunteers seeking to take That is the sensational statement made rian, D. E. Roberts, and he added, "because charge of the public interest without ever having been intrusted by the public

That it has been almost universally beid that in violation of property rights • by means of a public nuisance the plain tiff cannot be afforded equitable relief • . by injunction, unless the aggrieved party first shows that some special and recu-♦ liar injury to himself is likely to result from the act complained of, aside from ♦



petition, they are not entitled to maintain

The courtroom was filled with spectators when the decision was announced, at 10 a. Fair supporters were present, among them being former Judge James A Seddon law for the Exposition Company. Mr. Blair is out of the city, and Mr. Seddon was present plaintiffs' counsel, arrived a few minute after the decision was rendered, and left after learning how the case had been de

twenty-eight pages of typewritten matter and dealt exhaustively with the subject, stating the nature of the suit, and setting out the plaintiffs' petition in full and the points in the Exposition Company's demur rer. It states that the petition does no state a cause of action, and that neither of the plaintiffs, according to the petition has any right to the remedies prayed for. has any right to the remedies prayed for.

The Court states that it is essential to the sufficiency of a petition that not only should it successfully set forth a cause of action, but that it should appear from the face of the petition that there are the proper parties to the suit, plaintiff and defendant. It follows, the decision states, that if the Court finds that the second ground assigned in the demurrer is well taken, it obviates the necessity of a decision on the first point suggested.

REVIEW OF ALLEGATIONS IN PLAINTIFF'S PETITION.

The opinion then sets out the points in the plaintiff's petition, which, the Court the plaintin's petition, which the Court states, are all the allegations which have a bearing upon the question to be considered. The allegations are that the plaintiffs are citizens and taxpayers of St. Louis; that Forest Park is a public park, and was acquired for the exclusive benefit, enjoyment, betterment and unrestricted use of all the citizens of the city; that the park is of extensive proportions has been acquired for citizens of the city; that the park m of the people through Charter enactments, has been acquired for the people through Charter enactments, has been improved through the expenditure of large sums of the people's money, and has been accessible to the people and enjoyable by them; that the entire western half is peculiarly adapted to enjoyment because it is a native forest; that the park has encaused on each safe. trances on each side, as provided by the Charter; that the Municipal Assembly passed an ordinance granting the Exposition Company exclusive use of the entire western half of the park for the period of about two and a half years, to the exclusion of the public except upon conditions to be about two and a half years, to the exclusion of the public except upon conditions to be prescribed by the Exposition Company; that such process of exclusion is about to be resorted to, and an inclosure to be erected which will prevent access to the entire western half of the park by the people, except upon terms to be prescribed for the Exposition Company's profit; that the matters set forth threaten consequences in gross violation of the rights of the in gross violation of the rights of the plaintiffs and all other citizens of St. Louis; that they are remediless at law, and the damage threatened will be irreparable.

"Nowhere," says the court, "does it appear in the petition that these two plaintiffs had any interest in the subject matter of the complaint other than that of all other citizens and investors of said city. ion of the rights of the

tiffs had any interest in the subject matter of the complaint other than that of all other citizens and taxpayers of said city. It does not appear from the pleading that they are property-bolders, either abutting or otherwise, and that by the threatened action of the defendant their property rights will be invaded; nor does it clearly appear from the pleading in what respect, if at all, their rights, either of property or person, will be violated except by a vague and indefinite allegation that they will not be permitted for the time being to exercise their right of ingress into the said portion of Forest Park.

the vicinity of the park, nor that they had been in the habit of visiting said portion of said park, or any part thereof, in the post, or intend to visit the same in the future. RULE AS TO PRIVATE RIGHT OF ACTION.

"No rule is better established in equity jurisprudence than that, in cases where the injury to be abated is public merely; that is, where no citizen suffers a personal injury, it is a public matter, and a representative of the State is alone empowered to bring the action, for it has been repeatedly held better the term writers and in

bring the action, for it has been repeatedly held, both by the text writers and in a great majority of cases, including those cited by the respective counsel in this case, that where there is no private injury there can be no private right of action.

"This rule is applied to a public nuisance where private property is not affected, and indeed, in this latter class of cases it has been almost universally held that, as to such violation of property rights by means of a public nuisance, the plaintiff cannot be afforded equitable react by injunction, unless the aggrieved party first shows that some special and petuliar injury, personal to himself, is likely to result from the act complained of, aside from the general injury to the public.

PRAYED FOR CRISPI'S SOUL.

Description of the death of Signor Crispi this morning. He exclaimed:

Providence has evidently really degree of the petition, they complained of the plaintiffs' providence has evidently really degree of the public forms the act complained of, aside from the act complained of, aside from the petition, no substantial right of the plaintiffs has been violated. Indeed, they act pear very much in the role of volunteers, seeking to take charge of the public interest without ever having been intrusted by the public with the performance of such a duty. This the law will not tolerate, because it has made provision for the selection by the public of duly constituted officials, with full authority to represent the public generally, and with full power to institute such proceedings as a morior of the plaintiffs' public generally.

SUSTAIN THIS RULING.

The opinion here quotes a number of au when the decision was announced, at 10 a.
m. and, judging from the pleased expressions on their countenances, most of them were highly gratified. A number of World's might also be cited. Continuing, the Court

"In support of the contention that these plaintiffs are proper parties to invoke the relief sought for, plaintiffs counsel cites many cases and authorities. These cases are, with few exceptions, suits instituted by tax-paying citizens against municipal off cers to restrain them from official mis conduct in levying and assessing taxes. But these cases furnish no exception to the rule above cited, for the distinction is that the above cited, for the distinction is that the tax-paying citizen is an interested party, because, by reason of the misconduct of the official, the burdens of the taxpayer are increased. And even in such cases it must clearly appear that the property rights of the plaintiff are being violated, for equity will not restrain an act the doing of which will work no substantial injury on the plaintiff."

The Court cited an authority in su of the distinction that even a taxpayer must show a special personal interest. PERSONAL INJURY.

Referring to an authority cited by the plaintiffs' counsel in support of the reverse contention, the opinion states that the language of the jurist who is quoted further on in his opinion is such that Judge Zachritz gives it as his opinion that the jurist indicates that the correct resistence. Zachritz gives it as his opinion that the jurist indicates that the correct position is that even the tax-paying citizen has no redress in equity against the misconduct of public officers, unless, by reason of such misconduct, the private property rights of the plaintiff are invaded by reason of an increase of taxation due to the misconduct of the public officer, thereby enforcing and strengthening the very position maintained by the defendant in this case.

The Court made specific mention of a number of other authorities cited by the plaintiffs' counsel, but held that the cases either tended to bear out the position of the defendant or had no proper bearing on the case.

he case. Concluding, the opinion reads:

DEMURRER SUSTAINED

"So that it appears, from a close scrutiny of all the cases and authorities cited by the respective parties and herein fully discussed, that the great weight of authority on the point made by the second ground assigned in the demurrer is in favor of the position contended for by the defendant in this action. And, it not appearing from the plaintiffs' pleading in this case that the injury complained of, if any, which is threatened them, is greater than or different from that which might, or would, accrue to any other citizens; and, it not appearing from the petition that their property or personal rights are about to be invaded, or any substantial injury of any kind threatened them, the Court is of the opinion that they are not in a position to maintain this action under their present pleading; and, hence, that the defendant's demurrer, as based upon the second ground assigned therein, ought to, and should, be sustained.

"It is so ordered."

PLAINTIPPS NOT DECIDED

PLAINTIPPS NOT DECIDED ON PUTURE ACTION.

ON PUTURE ACTION.

Plaintiff Bergherm stated that he intends to lay the matter before the Workingmen's Protective Association, with which he is connected, at its meeting to-morrow evening at No. 504 Market street, and that the future course in the matter will be determined by the action taken at the meeting.

When seen at World's Fair headquarters yesterday afternoon, and asked about the decision of Judge Zachritz, President D. R. Francis said:

"The decision is as we expected. We thought the demurrer made by our general counsel would be sustained, and it has been." In reply to an inquiry as to whether any more litigation was expected, President Francis said:

"We do not anticipate any further objection. We see no ground for it. Certainly the sentiment of the community is in favor of the use of Forest Park for the World's Fair site. There is no other place so accessible, and, since the selection of the site was approved, it has seemed to grow in favor with all classes of people."

Director John Schroorz, who is in the East on World's Fair business, wired congratulations on the decision yesterday, to Secretary Stevens.

GRAIN PRICES SENT SKYWARD BY DISASTROUS CROP NEWS.

THUMB-HAIL JKIN

THE KAISER PRESENTS A MENACERIE

TO THE SOLTAN OF MOROCCO

Stampede to Buy Corn and Wheat in St. Louis, New York and Chicago Sent Prices Souring Toward the Dollar Mark - The Bulls Clubbed the Bears With Continued Drought Since the Latest Period Covered by the Official Statistics-Foreign Conditions Also Contributed to Upward Tendency.

WALL STREET SHAKEN BY THE TEMPEST IN GRAIN MARKETS

September corn sold yesterday in St. Louis for 62% cents a bushel, the highest price ever paid here for an option of

little active part in either buying or selling. Experts say there are no shorts in the local market and that all the "city

In November, 1864, while the Civil War was in progress and when no options were sold in St. Louis, white corn for immediate delivery brought \$1.64, the highest price ever paid in the city for the cereal.

Chicago and New York reflected the tremendous excitement which occurred on the local Board of Trade and prices in grains and stocks went skyward. In New York September corn sold as high as 64 cents, and in Chicago 614. Wheat followed the same bullish trend, and there were many buyers on the strength of the argument that measured in pounds corn is comparatively a third higher than wheat, and that the farmers will prefer to feed wheat to their stock as an economical proposition.

In St. Louis, as well as the great Eastern cities, the effect of the Governnent crop report was apparent in the stock market, and the continued drought in the corn belt gave the bulls the best of the argument.

CROP NEWS IN DETAIL ON PAGE THREE.

MISSOURI WATERMELONS PLENTIFUL AND SWEET

Prices at Union Market Range From Twenty to Fifty Cents-Corn and Cabbage Are Scarce and Higher - Eggplant Is Abundant and Cheaper-Home-Grown Peaches Grow Scarce.

ast week, were:				- 8	matt-pautiet nox) .
	-Price	e per	Bush	cl	Plums (egg)
	Aug	. 5.	Aug	12.	Bartless pears, cho
abbages	.50gs	.00		\$1.00	Pears (Keifer)
Sweet potatoes (new)		2.00		5.00	Pears (sugar)
Turnips		1.00		1.50	Green peppers (box
String beans	2.000	4.00	3.00@	4.30	Gumbo (per peck)
Lettuce (beme)			.606		Lettuce thead per t
Potntoes		1.20		1.35	SHIPPED
Tomatoes	2,500	2.00	2.50@	2.00	
Horseradish	_	3.50	2000	3.50	Cantaloupes (Dewe
Rutabagas		1.00		1.00	gams)
pinach		-		.75	Do. Rocky Ford
Apples		1 95	1.259	100000	Do. home (per box)
Red globe onlons	.90	1.95	1.006		Peaches
liver-skin onions				1.60	Pineapples (Cuban)
Peaches (home)		1.50	1.506		Pineapples (Florida Michigan cabbage
Per dozen and dozen					Michigan celery
Parsley				-	Michigan lettuce (b)
Radishes					Missouri waterme
Wint		.35		35	supply. They are
Vatercress		.50		.50	shipped in earlier is
orn		.18		.3	in price from 30 to
Soup bunches		.60		.00	Small pickling onl
Onions (spring)		.75		.50	ket, but are not pl
ceks		.25		.40	12 a bushel.
Young currots				10.755004	Mushrooms, cave
Young beets		.75	306		They may now be
Rhubarb			155500	.75	pound.
Thives		.60		.60	Corn is scarce as
Cucumbers		0.000000	356		true of cabbage. Je
Summer squash		1.50		1.50	er and marketman, get no better this s
Celery roots		.75			Tomatoes are sma
Dyster plant				1.25	Mint is scarce and
Egg plant			1.006		Chicory, cherries
SHIPPED CAS					of the market,
SHILL FOR CAS				-	Unitabares calera

-Price per Case

\$5.00

25.00 1

Oranges (Valencia) ...\$.

Prices current at Union Market for vege-tables and fruits yesterday and Monday of Plums (wild goose. last week were: half-bushel box) 509 .75 .500 1.00 c) .. 1.25@ 1.50 1.25@ 1.50

lons are now in good

traders. Local brokers and con gauged the market aright at the outset and bought corn on options when it started as to the extent of the damage to corn

In the open market yesterday options on September corn sold at affe a bushel. On e corresponding day last year the highest

In November, 1864, white corn sold for cash at \$1.64 a bushel. At that time there was no future trading in St. Louis. This figure was due solely to the fact that a condition of war existed, and not to weather conditions, as at present. Testerday's high price breaks all records for times of

At the opening of the market on the local exchange there was a quarter of an hour of been keeping out of the market pending the receipt of the Government crop report. minute. The pace was so furious that the were soon as anxious to get out as the had been to get in. The result was a rush to sell and take profits. Prices dropped be an active interest in the market. They were sure of their ground, and were content to The strength of corn was re wheat and oats options. Both advanced rapidly early in the session

After the excitement at the oper out, the market became normal, and traiing was mostly for the accounts of outsiders. Big builts in the St. Louis market advance than that of yesterday. They are morally certain it will come before the "We have been bulls on corn for a long

time," said Mr. William A. Gardner of Cobb & Gardner. "It is my opinion that the United States will not have more than 1,-100,000,000 bushels, and likely, 100,0 ment of hay and forage, potatoes and other important crops, will cantly justify so serious that I can see no other result." Mr. C. H. Albers of the C. H. Albers Co.

of Connor Bros. & Co., appeared to ly pleased with the prospect, and

Gienwood Springs, Colo., Aug. 12.-Miss

EMULATING ROOSEVELT.

Big Game in Colorado.

Anna Morgan, daughter of J. Pierpont Morgan, is one of a party that started out from this town to-day for a week's hunting in Professor Henry F. Osborn. of Columbia

University is in charge of the party. The deer season will not open until August 15, but there is no law against shooting bear, mountain lion, bobcat and covote.

SIXTY-TWO SALOONS ARE OPENED AT LAWTON.

REPUBLIC SPECIAL. Lawton, Ok., Aug. 12.-The ban on ns was lifted this morning and before 9 o'clock sixty-two saloons ere operating here.

While this country was an Indian

eservation, even the introduction of liquor was prohibited, and after the ew days, merely as a precaution. To-day the bars were let down and the scores of men who have had one stocks of wet goods in readiness for ten days, opened them up. More than half of the saloons are on the homestead of J. R. Wood, who shut

Miss Beals out by selecting a strip of deland a mile long, and the indignation of that worthy knows no delay.

PRAYED FOR CRISPI'S SOUL.

by the authorities, said the State Veterina-

mals to human beings through the medium

of meat, it was likely the practice would

Doctor Albert E. Behnke, chief of the

"There is an inclination on the part of au

Milwaukee, made a similar statement yes-

FOR KISSING A MAN, Pope Leo Receives Report of

Hoosier Misses Hold Up a Male "Providence has evidently really de-creed that I shall be the last of my generation to go. Well, Crispi was a • The court

A few moments later the Pope was Taswell, Ind., Aug. 12.—Robert Foss until

IN SPAIN IS ON A STRIKE.

is the head of the unklassed cult. Lake-Madrid, Aug. 12.-The general feeling of 'discontent prevailing here has reached the royal kitchen, and the principal chef and five cooks at • the King's palace have gone out on a

LEADING TOPICS LEVIER TO-DAY'S REPUBLIC

THE SUN RISES THIS MORNING AT AND SETS THIS EVENING AT 6:58.

WEATHER INDICATIONS. For St. Louis and Vicinity-Unseltled weather, but probably fair and

his wounded feelings.
The police acted quickly. They promptly arrested the young women, all of whom gave bond at once and smilingly declared tave bond at once and smillingly declared that they would be in court to-morrow to vindicate their course in taking the law upon their own lips.

Mr. Foss is not bad looking. He is a music teacher and 30 years old. If he and not attended parties and made the giris angry by frequent boasts, he would be still unkissed and happy. The sentiment of the public is with the girls and they are certain of acquittal. For Missouri-Fair Tuesday and Wednesday; light, variable winds. For Illinois-Fair Tuesday and Wednesday; light, variable winds. For Arkansas-Fair Tuesday and Wednesday: warmer Tuesday; easterly winds.

1. Tuberculosis Cattle Sold for Food. Missouri Watermelons Plentiful. Decision Upholds Forest Park Site. J. P. Morgan's Daughter Hunting

Girls Arrested for Kissing a Man. 2. Will Fight Cracker Trust. Steel Strikers Gain Accessions Discussing Future Democratic Plans. Wages Reduced in Fall River Mills.

3. Exciting Day in Grain Market.

4. Entries and Results at the Tracks.

5. Baseball Games Sporting News.

Want Checkbooks Returned. 7. Death of a Veteran Railroad Man

Rartender Holds a Mob at Bay. 8. Republic Want Advertisements. Record of Births, Marriages, Deaths.

New Corporations. 9. Republic Want and Real Estate Adver-

11. Financial News

12 American Claims Against England. Professor Buckley, State Geologist. Historic Toli-Gate to Be Removed.